

ALICE Y. GLOVER, of the City of Detroit - Community and Economic Development Department, affirms that this document is a true copy of the Modified Development Plan for the Kercheval-McClellan Rehabilitation Project, Adopted by Ordinance 133-H, effective on August 11, 1970.

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THE DEVELOPMENT PLAN
KERCHEVAL/MCCLELLAN

Detroit, Wayne County, Michigan

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RECORDED SEP 17 1979 AT 955 *A* O'CLOCK
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Prepared by: Community and Economic Development Department
350 East Congress
Detroit, Mich. 48226

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KERCHEVAL/McCLELLAN

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R-213-B DESCRIPTION OF PROJECT

R-213-B (1) Boundaries of Urban Renewal Area

- a. The Kercheval McClellan Project is located in the City of Detroit, County of Wayne, State of Michigan, and shall be described as follows:

Beginning at the intersection of the centerline of Kercheval, 80 feet wide, and the centerline of the first alley west of McClellan, 18 feet wide at this intersection; thence easterly along the centerline of Kercheval to its intersection with the centerline of Pennsylvania at its intersection with the centerline of St. Paul, 50 feet wide at this intersection; thence westerly along the centerline of St. Paul to its intersection with the centerline of the first alley west of McClellan, 12.5 feet wide at this intersection; thence northerly along the centerline of the first alley west of McClellan to the north end of the second lot north of St. Paul, 12.5 feet wide at the south end and 18 feet wide at the north end; thence northerly along this line to the point of beginning.

The area is bounded generally by Kercheval, Pennsylvania, St. Paul and the alley between McClellan and Belvidere.

- b. The perimeter boundaries of the Urban Renewal Area are shown on the map entitled "Project Boundary Map," dated December 2, 1974.

R-213-B (2) Urban Renewal Plan Objectives

The City's particular objectives for this Urban Renewal Area shall include:

1. To provide a parcel of sufficient form and size for development consistent with the objectives and restrictions of the plan.
2. To provide for substantial reconstruction of the area that will assist the stability of the larger area of which the project is a part.
3. To provide for construction of a modern supermarket with appropriate supporting services.
4. To increase the quality of goods and services in the surrounding Community.
5. To coordinate the several policies and actions of public bodies and private developers, such that improvements and construction will be in concert with one another.
6. To restore a proper balance of taxable value of real property and the cost of municipal services.
7. To redevelop the parcel in a manner to be economically sound, efficient in circulation and layout of structures, harmonious with development on adjacent properties through provision of sidewalks, landscaping, drives and open space, plan of circulation, layout, and design to be reviewed and approved by the Community and Economic Development Department.
8. To provide adequate parking and loading facilities for the shopping center.
9. To provide a center to adequately serve a 1.5 mile trade area with an appropriate population count of 94,000.

R-213-B (2) continued

The City of Detroit will pursue municipal policies to insure that all design and construction within the Urban Renewal Area contributes to these objectives and coordinates with existing uses, structure and facilities which are to remain.

R-213-B (3) Types of Proposed Renewal Actions

- a. Clearance - Renewal action proposed for the project area is clearance.
- b. Redevelopment - The area will be redeveloped as a neighborhood shopping center.
- c. Utilities - Utilities shall be rebuilt or replaced in order to provide sufficient capacity to meet the demands of the new uses planned in the development plan.

R-213-C LAND USE PLAN

R-213-C (1) Land Use Map

The Map R-213C (1) "Land Use & Development Plan" dated December 2, 1974, is included as part of this plan.

This map shows:

- a. Public streets, alleys, and easement boundaries for subsurface utilities
- b. Proposed land use.

R-213-C (2) Land Use Provisions and Building Requirementsa. Permitted Uses on Project Property for Disposition

1. A supermarket of approximately 30,000 sq. ft.
2. Supporting facilities including but not limited to a Drug Store and supporting community services.
3. Parking for employees, customers, and truck loading and unloading.

b. Additional Controls1. Storage & Display Areas

All buildings should be designed and constructed to provide for all storage and displaying of merchandise to take place within buildings or in areas separated from public view by opaque barriers.

2. Loading

All loading or temporary storage of merchandise in trucks is to take place on the site so as not to obstruct traffic or interfere in any way with the public streets. No loading shall take place in the building setback area.

3. Parking

Parking for employee, customers, and delivery vehicles shall be provided on site and adequate to meet the daily requirements of the proposed use.

The minimum number of off-street parking spaces to be provided on the parcel shall be 294 parking spaces and 1 extra for each 100 sq. ft. over 50,000 sq. ft. of gross floor area. For a proposed 70,000 sq. ft. project there will be 294 spaces plus an additional 200 spaces for a total of 494 parking spaces.

Where a developer demonstrates that a fewer number of off-street parking spaces will actually be required for a proposed facility than is required by these restrictions, the City of Detroit at its discretion, may temporarily reduce the number of parking spaces to be provided if sufficient landscaped area is retained to provide the full number of parking spaces required by these restrictions if they later are needed, as determined by the City of Detroit.

A parking space shall have a minimum area of 160 sq. ft., exclusive of drives and aiseways.

Location of and access to all parking shall be subject to approval of the City of Detroit. No parking shall be permitted in the building setback area.

All parking and loading will be off of the street right-of-way. These areas are to be surfaced with a concrete pavement having a bituminous or Portland cement binder on an aggregate base of adequate thickness to withstand the intended usage. These areas should be even, adequately drained, and shall be designed and constructed

to prevent the intrusion of traffic on landscaped areas. They will be screened from the street by proper orientation and through the use of low walls or plant materials. Loading docks shall be screened from view from rights-of-way by location or through the use of masonry walls or equivalent screening materials. (Chain link fencing or similar materials will not normally satisfy this requirement).

No parking or loading shall be permitted in the building setback area. Location of and access to all parking shall be subject to approval of the City of Detroit.

4. Landscaping

Any area not covered by building or pavement should be landscaped with grass and appropriate shrubs or planting materials. Minimum 5" curbs and/or other devices should be provided to protect all landscaped areas from vehicular intrusions from any adjacent parking, loading, or driveway areas.

5. Signs

No signs shall be erected which do not pertain to activities conducted on the parcel upon which they are located. The size, location and general design of all signs permitted shall be in conformance with development objectives and subject to approval of the City of Detroit.

6. Outdoor Utility Equipment

Outdoor transformer meters, air conditioning equipment and antennas shall be incorporated in the design, and be unobtrusive as possible. Meters and transformer boxes may be located above ground provided that they are screened from public view. The location of these meters and transformers and the screening treatment used shall be subject to approval by the City of Detroit.

7. Design and Appearance

The design and appearance of all buildings and structures shall be such as to compliment and enhance the character and appeal of the neighborhood shopping center.

8. Setbacks

There will be a minimum 15' setback from public streets for all permanent structures except see-through fences or opaque walls less than 3' high.

9. Urban Design Criteria

As the developer initiates work on his project, the Community and Economic Development Department shall provide him with the guidelines for his parcel.

10. Review of Plans

Prior to applying for a building permit for all construction and exterior alteration, plans shall be submitted to the Community and Economic Development Department in sufficient detail to permit a determination whether the construction is in compliance with the Master Plan and the Development Plan. If, after examination, the Community and Economic Development Department finds that the plans conform to the Development Plan and these restrictions, it shall formally approve the plan. Such plans shall in any event be deemed approved unless formal rejection in whole or in part setting forth in detail the reasons thereof shall be made within thirty days after submission of the plan.

R-213-C (2) continued

c. Initiation and Duration of the Land Use Provisions and Additional Requirements

The land use provisions and building and other requirements enumerated above (Sections (C) (2) a) and (C) (2) b) shall become effective on the date of the adoption of the Development Plan by the Common Council of the City of Detroit and shall remain in effect for a period of at least 25 years from their effective date.

d. Applicability of the Land Use Provisions and Additional Requirements to Real Property Not to be Acquired

The Land Use provisions and Building Requirements will be applicable to all real property to be acquired and to real property not to be acquired in a clearance area if the owner thereof acquires project land.

R-213-D PROJECT PROPOSALS

R-213-D (1) Land Acquisition

- a. Real property to be acquired in the project clearance areas is indicated on Map R-213-D, entitled "Land Acquisition." This real property will be acquired for clearance and redevelopment and be subject of the Design and Development Objectives, Land Use Provisions and to the Additional Restrictions as outlined above.

R-213-D (2) Rehabilitation

Not applicable

REDEVELOPER'S OBLIGATIONS

The land acquired by the City of Detroit will be disposed of subject to an agreement between the City and the Redeveloper. Land disposition and review of redeveloper's plans shall consider that:

- a. Land disposition documents will incorporate provisions for achieving all elements of the Development Plan, including the Development and Design Objectives, through:

Fixed price offering the Development and Design Objectives as a criteria for selecting the redeveloper; or through negotiation where the Objectives are determining factors; or by other means which will assure the attainment of the Objective in order to allow for experimentation and freedom of architectural expression, no pre-conceived method of construction or architectural treatment is established. The developers' proposal will be judged by the performance standards to be set forth in the disposition documents and will be evaluated in terms of urban design relationship to the total project and architectural treatment of the proposed development.

- b. Disposition documents shall spell out in detail the criteria to be met in order to achieve the development and design objectives.
- c. Land disposition documents shall also include provisions for insuring initiation and completion of construction within a reasonable period of time after the effective date of contract as determined by the type of redevelopment to be undertaken.
- d. Land disposition document shall also include a Specific Declaration of Restriction to be recorded and binding upon a sale or lease for the purpose of implementing these provisions, requirements and development and design objectives which apply throughout the project.
- e. The developers, their successors, or assigns, agree that there will be no discrimination against any person or group of persons on account of race, creed, color, sex, or national origin in the lease, transfer use, occupancy, tenure or enjoyment of the premises therein conveyed. Nor will the developer himself or any person claiming under or through him, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessors, sub-lessors, or vendees in the premises therein conveyed. The above provisions will be perpetual and will run with the land disposed of within the urban renewal areas by the City of Detroit.

R-213-D (4) Underground Utility Lines

Easements for sub-surface utilities shall be maintained at locations shown on the Land Use and Development Plan. Additional easements for sub-surface utilities shall be provided by the developer as required for development of the property, subject to the approval of the utility companies and/or municipal departments affected. No structures may be erected or trees planted within these easements without permission of the Common Council of the City of Detroit. Garden walls or landscaping may be erected on these easements with the approval of the municipal departments affected.

In areas of the project to be cleared for redevelopment, all utility equipment, including facilities for transmission, or distribution of gas, electricity, steam, water or communications, except fire hydrants located underground or enclosed entirely within a building.

R-213-E OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS.

R-213-E (1) Relocation Plan

The Relocation Plan, more specifically entitled Relocation Program, Kercheval McClellan Project and attached hereto is hereby made a part of the Development Plan as required by Section 4 (c) of the Rehabilitation of Blighted Areas Act, Act 344 of the Public Acts of 1945 of the Public Acts of 1945, as amended.

R 213-E (2) Estimated Cost of Improvements

The Estimated Costs of Public Improvements to be made within the project detailed on the attached Form H-6200, Project Cost Estimated and Financing Plan and Form H-6220, Project Expenditures Budget, are hereby made a part of the Development Plan as required by Section 4 (c) of the Rehabilitation of Blighted Areas Act, Act 344 of the Public Acts of 1945 as amended.

R 213-E (3) Estimated Extent of Improvements

The Estimated Extent of Improvements, Renewal Assistance Administration Code R-224 maps, are hereby made a part of the Development Plan as required by Section 4 (c) of the Rehabilitation of Blighted Areas Act, Act 344 of the Public Act of 1945, as amended, and show the work to be performed by various City Departments with locations and extent of improvements shown on tentative and diagramatic purposes only.

R 213-E (4) Right-of-Way Adjustment Plan

Map R-213 (E), entitled Right-of-Way Adjustment Plan shows:

- a. Streets and alleys to be retained
- b. Streets and alleys to be dedicated
- c. Streets and alleys to be vacated
- d. Easements for subsurface utilities

This is hereby made a part of the Development Plan as required by Section 4 (c) of the Rehabilitation of Blighted Areas Act, Act 344 of the Public Acts of 1945, as amended.

R 213-E (5) Zoning Plan

The Zoning Plan, Map R-213 (E) 5, showing the zoning proposals for all parcels for disposition is included as required by Section 4 (c) of the Rehabilitation of Blighted Areas Act, Act 344 of the Public Acts of 1945, as amended.

R 213-E (6) District Plan

The District Plan, map R-214 (1) C, is hereby made a part of the Development Plan as required by Section 4 (c) of the Rehabilitation of Blighted Areas Act, Act 344 of the Public Acts of 1945, as amended.

R-213-F

PROCEDURE FOR CHANGES IN THE APPROVED PLAN

If previous to the lease, sale or exchange of any real property in the development area, the Common Council of the City of Detroit desires to modify the Development Plan, it shall hold a public hearing thereon, notice of such hearing to be given as provided in the state law. If the modification be approved by the Common Council, it shall become part of the approved Development.

Variances

Where, owing to special conditions, a literal enforcement of these restrictions would result in unnecessary hardship, involving practical difficulties, or would constitute an unreasonable limitation beyond the spirit and purpose of these restrictions, the Community Development Commission with approval of the Common Council shall have the power to authorize a reasonable variation or modification of the terms of these restrictions that will not be contrary to the public interest and provided that the modifications be consented to by the lessee and/or purchaser so that the spirit and purpose of these restrictions shall be observed.

The part of a development plan which directly applies to a parcel of real property in the area, may be modified by the Common Council at any time after transfer or lease or sale of the parcel of real property in the area provided that the modification be consented to by the lessee and/or purchaser.

ESTIMATED PROJECT EXPENDITURES BUDGET
 COMMUNITY DEVELOPMENT COMMISSION
 KERCHEVAL-McCLELLAN PROJECT

1.	Administration (Includes administrative overhead & services, travel, office furniture and improvements)	\$ 212,245
2.	Legal Services	18,585
3.	Survey & Planning	-0-
4.	Acquisition Expenses	26,375
5.	Temporary Operation of Acquired Property	5,000
6.	Relocation, including Relocation Payments and District Council (\$10,000)	538,050
7.	Site Clearance	61,500
8.	Project Improvements	207,455
9.	Disposal Costs	2,000
10.	Real Estate Purchases	556,000
11.	Contingencies	107,121
12.	TOTAL PROJECT EXECUTION EXPENDITURES	1,734,331

*Includes relocation payments under the 1970 Uniform Relocation Act

CITY OF DETROIT
 COMMUNITY DEVELOPMENT COMMISSION

January 3, 1974

 Date

 Signature

 Director

 Title